

Amendment No.2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing PCB: Veteran & Military Affairs
 2 Subcommittee
 3 Representative Cummings offered the following:

Amendment (with title amendment)

6 Between lines 344 and 345, insert:

7 Section 11. Section 458.315, Florida Statutes, is amended
 8 to read:

9 458.315 Temporary certificate for practice in areas of
 10 critical need.—

11 ~~(1) A certificate issued pursuant to this section may be~~
 12 ~~cited as the "Rear Admiral LeRoy Collins, Jr., Temporary~~
 13 ~~Certificate for Practice in Areas of Critical Need."~~

14 ~~(2)~~ The board may issue a temporary certificate for
 15 practice in areas of critical need to a Any physician who

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16 ~~(a) Is holds an active and valid license licensed to~~
17 ~~practice in any jurisdiction in the United States, and whose~~
18 ~~license is currently valid; or~~

19 ~~(b) Has served as a physician in the United States Armed~~
20 ~~Forces for at least 10 years and received an honorable discharge~~
21 ~~from the military;~~

22
23 ~~and who pays an application fee of \$300, and will practice: may~~
24 ~~be issued a temporary certificate for practice in areas of~~
25 ~~critical need.~~

26 ~~(3) A certificate may be issued to a physician who:~~

27 ~~(a) Will practice in In an area of critical need;~~

28 ~~(b) Will be employed by or practice in In, or be employed~~
29 ~~by, a county health department; correctional facility;~~
30 ~~Department of Veterans' Affairs clinic; community health center~~
31 ~~funded by s. 329, s. 330, or s. 340 of the United States Public~~
32 ~~Health Services Act; or other agency or institution that is~~
33 ~~approved by the State Surgeon General and provides health care~~
34 ~~to meet the needs of underserved populations in this state; or~~
35 ~~(c) For Will practice for a limited time to address~~
36 ~~critical physician-specialty, demographic, or geographic needs~~
37 ~~for this state's physician workforce as determined by the State~~
38 ~~Surgeon General.~~

39 ~~(2)-(4) The board Board of Medicine may issue a this~~
40 ~~temporary certificate with the following restrictions:~~

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41 (a) The State Surgeon General shall determine the areas of
42 critical need. Such areas include, but are not limited to,
43 health professional shortage areas designated by the United
44 States Department of Health and Human Services.

45 1. A recipient of a temporary certificate for practice in
46 areas of critical need may use the certificate to work for any
47 approved entity in any area of critical need or as authorized by
48 the State Surgeon General.

49 2. The recipient of a temporary certificate for practice
50 in areas of critical need shall, within 30 days after accepting
51 employment, notify the board of all approved institutions in
52 which the licensee practices and of all approved institutions
53 where practice privileges have been denied.

54 (b) ~~The board may administer an abbreviated oral~~
55 ~~examination to determine the physician's competency, but a~~
56 ~~written regular examination is not required.~~ Within 10 ~~60~~ days
57 after receipt of a complete ~~an~~ application for a temporary
58 certificate, the board shall review the application, and:

59 1. Issue ~~issue~~ the temporary certificate; 7

60 2. Deny the temporary certificate; ~~notify the applicant of~~
61 ~~denial, or~~

62 3. Require ~~notify~~ the applicant ~~that the board recommends~~
63 to complete additional assessment, training, education, or other
64 requirements as a condition of certification.

65 (c) If the applicant has not actively practiced during the
66 prior 3 years and the board determines that the applicant may

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67 lack clinical competency, possess diminished or inadequate
68 skills, lack necessary medical knowledge, or exhibit patterns of
69 deficits in clinical decisionmaking, the board may, within 10
70 days after receipt of the complete application,:

71 1. Deny the application;

72 2. Issue a temporary certificate having reasonable
73 restrictions that may include, but are not limited to, a
74 requirement for the applicant to practice under the supervision
75 of a physician approved by the board; or

76 3. Issue a temporary certificate upon receipt of
77 documentation confirming that the applicant has met any
78 reasonable conditions of the board which may include, but are
79 not limited to, completing continuing education or undergoing an
80 assessment of skills and training.

81 (d) ~~(e)~~ Any certificate issued under this section is valid
82 only so long as the State Surgeon General determines that the
83 reason for which it was issued remains a critical need to the
84 state. The board ~~Board of Medicine~~ shall review each temporary
85 certificateholder not less than annually to ascertain that the
86 minimum requirements of the Medical Practice Act and its adopted
87 rules are being complied with. If it is determined that such
88 minimum requirements are not being met, the board shall revoke
89 such certificate or shall impose restrictions or conditions, or
90 both, as a condition of continued practice under the
91 certificate.

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92 (e)~~(d)~~ The board may not issue a temporary certificate for
93 practice in an area of critical need to any physician who is
94 under investigation in any jurisdiction in the United States for
95 an act that would constitute a violation of this chapter until
96 such time as the investigation is complete, at which time the
97 provisions of s. 458.331 apply.

98 (3)~~(5)~~ The application fee and all licensure fees,
99 including neurological injury compensation assessments, shall be
100 waived for those persons obtaining a temporary certificate to
101 practice in areas of critical need for the purpose of providing
102 volunteer, uncompensated care for low-income residents. The
103 applicant must submit an affidavit from the employing agency or
104 institution stating that the physician will not receive any
105 compensation for any service involving the practice of medicine.

106 (4) The board shall create a simplified application for
107 temporary certificates for practice in areas of critical need to
108 reduce administrative impediments and maximize participation.
109 The application may not request redundant information, such as
110 information accessible through the department's licensing
111 database and information about qualifications, including
112 education or training, required for the applicant's current
113 license in another jurisdiction.

114 Section 12. Section 458.3151, Florida Statutes, is created
115 to read:

116 458.3151 Temporary certificate for active duty military
117 and veterans practicing in areas of critical need.-

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118 (1) A certificate issued pursuant to this section may be
119 cited as the "Rear Admiral LeRoy Collins, Jr., Temporary
120 Certificate for Practice in Areas of Critical Need."

121 (2) The board may issue a temporary certificate to a
122 physician who complies with subsection (3) and will practice:

123 (a) In an area of critical need;

124 (b) In, or be employed by, a county health department;
125 correctional facility; Department of Veterans' Affairs clinic;
126 community health center funded by s. 329, s. 330, or s. 340 of
127 the United States Public Health Services Act; or other agency or
128 institution that is approved by the State Surgeon General and
129 provides health care to meet the needs of underserved
130 populations in this state; or

131 (c) For a limited time to address critical physician-
132 specialty, demographic, or geographic needs for this state's
133 physician workforce as determined by the State Surgeon General.

134 (3) To be eligible for a temporary certificate, a
135 physician must submit to the board a complete application and:

136 (a) Proof of an active and valid license to practice in
137 any jurisdiction in the United States;

138 (b) An affidavit from the employing agency or institution
139 stating that the physician will not receive any compensation for
140 any service involving the practice of medicine;

141 (c) If on active duty, a letter from the physician's
142 military command authorizing the physician to practice medicine
143 at an approved entity in an area of critical need; and

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144 (d) Documentation demonstrating the physician is serving
145 on active duty in the United States Armed Forces as a
146 commissioned medical officer or has served as a commissioned
147 medical officer in the United States Armed Forces for at least
148 10 years and received an honorable discharge from the military.

149 (4) The board shall use a simplified application for
150 temporary certificates for practice in areas of critical need to
151 maximize participation by physicians by reducing administrative
152 impediments. The board may not request redundant information,
153 such as information:

154 (a) Available in the department's licensing database.

155 (b) Regarding qualifications, including education or
156 training, required for the applicant's current license in
157 another jurisdiction.

158 (c) Contained in the supporting documentation provided by
159 the applicant required under paragraphs (3) (a)-(d).

160 (5) The application fee and all licensure fees shall be
161 waived for persons obtaining a temporary certificate to practice
162 in areas of critical need pursuant to this section.

163 (6) (a) Within 10 days after receipt of a complete
164 application for a temporary certificate, the board must review
165 the application and associated documentation, and:

166 1. Issue the temporary certificate;

167 2. Deny the temporary certificate; or

168 3. Require the applicant to complete additional
169 assessment, training, education, or other requirements as a

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170 condition of certification. The board must issue a temporary
171 certificate upon receipt of documentation demonstrating that the
172 board's requirements have been met.

173 (b) If an applicant has not actively practiced medicine
174 during the prior 3 years and the board determines the applicant
175 may lack clinical competency, possess diminished or inadequate
176 skills, lack necessary medical knowledge, or exhibit patterns of
177 deficits in clinical decisionmaking, the board may, within 10
178 days after receipt of a complete application, :

179 1. Deny the application;

180 2. Issue a temporary certificate having reasonable
181 restrictions including, but not limited to, a requirement that
182 the applicant practice under the supervision of a physician
183 approved by the board; or

184 3. Issue a temporary certificate upon receipt of
185 documentation confirming that the applicant has met any
186 reasonable conditions of the board including, but not limited
187 to, completing continuing education or undergoing an assessment
188 of skills and training.

189 (c) The board may not issue a temporary certificate for
190 practice in an area of critical need to any physician who is
191 under investigation in any jurisdiction in the United States for
192 an act that would constitute a violation of this chapter until
193 such time as the investigation is complete, at which time the
194 provisions of s. 458.331 apply.

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195 (7) The recipient of a temporary certificate for practice
196 in areas of critical need shall, within 30 days after accepting
197 employment, notify the board of all approved institutions in
198 which the licensee practices and of all approved institutions
199 where practice privileges have been denied. A physician holding
200 a temporary certificate for practice in areas of critical need
201 may enter into a contract to provide volunteer health care
202 services pursuant to s. 766.1115.

203 (8) The board shall review each temporary
204 certificateholder not less than annually to ascertain compliance
205 with the minimum requirements of this section, the Medical
206 Practice Act, and its adopted rules. If it is determined that
207 such minimum requirements are not met, the board shall revoke
208 such certificate or shall impose restrictions or conditions, or
209 both, as a condition of continued practice under the
210 certificate. A certificate issued under this section is valid as
211 long as the State Surgeon General determines that the reason for
212 which it was issued remains a critical need to the state.

213 Section 13. Section 459.0076, Florida Statutes, is amended
214 to read:

215 459.0076 Temporary certificate for practice in areas of
216 critical need.—

217 ~~(1) A certificate issued pursuant to this section may be~~
218 ~~cited as the "Rear Admiral LeRoy Collins, Jr., Temporary~~
219 ~~Certificate for Practice in Areas of Critical Need."~~

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220 ~~(2) The board may issue a temporary certificate for~~
221 ~~practice in areas of critical need to a Any physician who:~~
222 ~~(a) Is holds an active and valid license licensed to~~
223 ~~practice in any jurisdiction in the United States, and whose~~
224 ~~license is currently valid; or~~
225 ~~(b) Has served as a physician in the United States Armed~~
226 ~~Forces for at least 10 years and received an honorable discharge~~
227 ~~from the military;~~
228
229 ~~and who pays an application fee of \$300, and will practice: may~~
230 ~~be issued a temporary certificate for practice in areas of~~
231 ~~critical need.~~
232 ~~(3) A certificate may be issued to a physician who:~~
233 ~~(a) Will practice in In an area of critical need;~~
234 ~~(b) Will be employed by or practice in In, or be employed~~
235 ~~by, a county health department; correctional facility;~~
236 ~~Department of Veterans' Affairs clinic; community health center~~
237 ~~funded by s. 329, s. 330, or s. 340 of the United States Public~~
238 ~~Health Services Act; or other agency or institution that is~~
239 ~~approved by the State Surgeon General and provides health care~~
240 ~~to meet the needs of underserved populations in this state; or~~
241 ~~(c) For Will practice for a limited time to address~~
242 ~~critical physician-specialty, demographic, or geographic needs~~
243 ~~for this state's physician workforce as determined by the State~~
244 ~~Surgeon General.~~

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245 ~~(2)-(4)~~ The board ~~Board of Osteopathic Medicine~~ may issue a
246 ~~this~~ temporary certificate with the following restrictions:

247 (a) The State Surgeon General shall determine the areas of
248 critical need. Such areas include, but are not limited to,
249 health professional shortage areas designated by the United
250 States Department of Health and Human Services.

251 1. A recipient of a temporary certificate for practice in
252 areas of critical need may use the certificate to work for any
253 approved entity in any area of critical need or as authorized by
254 the State Surgeon General.

255 2. The recipient of a temporary certificate for practice
256 in areas of critical need shall, within 30 days after accepting
257 employment, notify the board of all approved institutions in
258 which the licensee practices and of all approved institutions
259 where practice privileges have been denied.

260 (b) ~~The board may administer an abbreviated oral~~
261 ~~examination to determine the physician's competency, but a~~
262 ~~written regular examination is not required.~~ Within 10 ~~60~~ days
263 after receipt of a complete ~~an~~ application for a temporary
264 certificate, the board shall review the application, and:

265 1. Issue ~~issue~~ the temporary certificate;;

266 2. Deny the temporary certificate; ~~notify the applicant of~~
267 ~~denial,~~ or

268 3. Require ~~notify~~ the applicant ~~that the board recommends~~
269 to complete additional assessment, training, education, or other
270 requirements as a condition of certification.

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271 (c) If the applicant has not actively practiced during the
272 prior 3 years and the board determines that the applicant may
273 lack clinical competency, possess diminished or inadequate
274 skills, lack necessary medical knowledge, or exhibit patterns of
275 deficits in clinical decisionmaking, the board may, within 10
276 days after receipt of the complete application,:

277 1. Deny the application;

278 2. Issue a temporary certificate having reasonable
279 restrictions that may include, but are not limited to, a
280 requirement for the applicant to practice under the supervision
281 of a physician approved by the board; or

282 3. Issue a temporary certificate upon receipt of
283 documentation confirming that the applicant has met any
284 reasonable conditions of the board which may include, but are
285 not limited to, completing continuing education or undergoing an
286 assessment of skills and training.

287 (d)-(e) Any certificate issued under this section is valid
288 only so long as the State Surgeon General determines that the
289 reason for which it was issued remains a critical need to the
290 state. The board ~~Board of Osteopathic Medicine~~ shall review each
291 temporary certificateholder not less than annually to ascertain
292 that the minimum requirements of the Osteopathic Medical
293 Practice Act and its adopted rules are being complied with. If
294 it is determined that such minimum requirements are not being
295 met, the board shall revoke such certificate or shall impose

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296 restrictions or conditions, or both, as a condition of continued
297 practice under the certificate.

298 ~~(e)-(d)~~ The board may not issue a temporary certificate for
299 practice in an area of critical need to any physician who is
300 under investigation in any jurisdiction in the United States for
301 an act that would constitute a violation of this chapter until
302 such time as the investigation is complete, at which time the
303 provisions of s. 459.015 apply.

304 ~~(3)-(5)~~ The application fee and all licensure fees,
305 including neurological injury compensation assessments, shall be
306 waived for those persons obtaining a temporary certificate to
307 practice in areas of critical need for the purpose of providing
308 volunteer, uncompensated care for low-income residents. The
309 applicant must submit an affidavit from the employing agency or
310 institution stating that the physician will not receive any
311 compensation for any service involving the practice of medicine.

312 (4) The board shall create a simplified application for
313 temporary certificates for practice in areas of critical need to
314 reduce administrative impediments and maximize participation.
315 The application may not request redundant information, such as
316 information accessible through the department's licensing
317 database and information about qualifications, including
318 education or training, required for the applicant's current
319 license in another jurisdiction.

320 Section 14. Section 459.00761, Florida Statutes, is
321 created to read:

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322 459.00761 Temporary certificate for active duty military
323 and veterans practicing in areas of critical need.-

324 (1) A certificate issued pursuant to this section may be
325 cited as the "Rear Admiral LeRoy Collins, Jr., Temporary
326 Certificate for Practice in Areas of Critical Need."

327 (2) The board may issue a temporary certificate to a
328 physician who complies with subsection (3) and will practice:

329 (a) In an area of critical need;

330 (b) In, or be employed by, a county health department;
331 correctional facility; Department of Veterans' Affairs clinic;
332 community health center funded by s. 329, s. 330, or s. 340 of
333 the United States Public Health Services Act; or other agency or
334 institution that is approved by the State Surgeon General and
335 provides health care to meet the needs of underserved
336 populations in this state; or

337 (c) For a limited time to address critical physician-
338 specialty, demographic, or geographic needs for this state's
339 physician workforce as determined by the State Surgeon General.

340 (3) To be eligible for a temporary certificate, a
341 physician must submit to the board a complete application and:

342 (a) Proof of an active and valid license to practice in
343 any jurisdiction in the United States;

344 (b) An affidavit from the employing agency or institution
345 stating that the physician will not receive any compensation for
346 any service involving the practice of medicine;

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347 (c) If on active duty, a letter from the physician's
348 military command authorizing the physician to practice medicine
349 at an approved entity in an area of critical need; and

350 (d) Documentation demonstrating the physician is serving
351 on active duty in the United States Armed Forces as a
352 commissioned medical officer or has served as a commissioned
353 medical officer in the United States Armed Forces for at least
354 10 years and received an honorable discharge from the military.

355 (4) The board shall use a simplified application for
356 temporary certificates for practice in areas of critical need to
357 maximize participation by physicians by reducing administrative
358 impediments. The board may not request redundant information,
359 such as information:

360 (a) Available in the department's licensing database.

361 (b) Regarding qualifications, including education or
362 training, required for the applicant's current license in
363 another jurisdiction.

364 (c) Contained in the supporting documentation provided by
365 the applicant required under paragraphs (3) (a)-(d).

366 (5) The application fee and all licensure fees shall be
367 waived for persons obtaining a temporary certificate to practice
368 in areas of critical need pursuant to this section.

369 (6) (a) Within 10 days after receipt of a complete
370 application for a temporary certificate, the board must review
371 the application and associated documentation, and:

372 1. Issue the temporary certificate;

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373 2. Deny the temporary certificate; or
374 3. Require the applicant to complete additional
375 assessment, training, education, or other requirements as a
376 condition of certification. The board must issue a temporary
377 certificate upon receipt of documentation demonstrating that the
378 board's requirements have been met.

379 (b) If an applicant has not actively practiced medicine
380 during the prior 3 years and the board determines the applicant
381 may lack clinical competency, possess diminished or inadequate
382 skills, lack necessary medical knowledge, or exhibit patterns of
383 deficits in clinical decisionmaking, the board may, within 10
384 days after receipt of a complete application, :

385 1. Deny the application;
386 2. Issue a temporary certificate having reasonable
387 restrictions including, but not limited to, a requirement that
388 the applicant practice under the supervision of a physician
389 approved by the board; or

390 3. Issue a temporary certificate upon receipt of
391 documentation confirming that the applicant has met any
392 reasonable conditions of the board including, but not limited
393 to, completing continuing education or undergoing an assessment
394 of skills and training.

395 (c) The board may not issue a temporary certificate for
396 practice in an area of critical need to any physician who is
397 under investigation in any jurisdiction in the United States for
398 an act that would constitute a violation of this chapter until

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399 such time as the investigation is complete, at which time the
400 provisions of s. 459.015 apply.

401 (7) The recipient of a temporary certificate for practice
402 in areas of critical need shall, within 30 days after accepting
403 employment, notify the board of all approved institutions in
404 which the licensee practices and of all approved institutions
405 where practice privileges have been denied. A physician holding
406 a temporary certificate for practice in areas of critical need
407 may enter into a contract to provide volunteer health care
408 services pursuant to s. 766.1115.

409 (8) The board shall review each temporary
410 certificateholder not less than annually to ascertain compliance
411 with the minimum requirements of this section, the Osteopathic
412 Practice Act, and its adopted rules. If it is determined that
413 such minimum requirements are not met, the board shall revoke
414 such certificate or shall impose restrictions or conditions, or
415 both, as a condition of continued practice under the
416 certificate. A certificate issued under this section is valid
417 as long as the State Surgeon General determines that the reason
418 for which it was issued remains a critical need to the state.

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T I T L E A M E N D M E N T

424

Remove line 24 and insert:

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425 amending s. 458.315, F.S.; revising the application process for
426 a temporary certificate for practice in areas of critical need;
427 setting new application requirements; requiring the board to
428 create a simplified application; creating s. 458.3151, F.S.;
429 providing that the section may be cited as the "Rear Admiral
430 LeRoy Collins, Jr., Temporary Certificate for Practice in Areas
431 of Critical Need"; providing application requirements for active
432 duty military and veteran physicians to obtain a certificate for
433 practice in areas of critical need; requiring the board to use a
434 simplified application for the certificate; amending s.
435 459.0076, F.S.; revising the application process for a temporary
436 certificate for practice in areas of critical need for
437 Osteopathic physicians; setting new application requirements;
438 requiring the board to create a simplified application; creating
439 s. 459.00761, F.S.; providing that the section may be cited as
440 the "Rear Admiral LeRoy Collins, Jr., Temporary Certificate for
441 Practice in Areas of Critical Need"; providing application
442 requirements for active duty military and veteran Osteopathic
443 physicians to obtain a certificate for practice in areas of
444 critical need; requiring the board to use a simplified
445 application for the certificate; amending s. 499.012, F.S.,
446 providing that specified
447